

This issue should be very simple. The Internet has become the "neural network" of our society, in some sense the "brain" of society. It deserves to be treated as the equivalent of a public utility, regardless of any public-private partnership arrangement as to who operates it or owns the "pipes" that make up the physical infrastructure, because we are increasingly dependent upon it for the full range of public and private communication.

It functions not only as a one-to-many "broadcast" medium, like TV or radio or newspapers, but it also carries one-to-one communications like email that replace the function of postal letters and telephone (in fact VoIP is beginning to replace POTS and other forms of telephone service). And of course, it offers a completely new level of efficiency with other modes of communication in the many-to-many model (email list-servers and web forums), that used to be limited to physical bulletin boards. Finally, all of these modes of communication are becoming integrated into unified multi-purpose/multi-function paradigms, where all of these modes are combined in a single application environment where it becomes arbitrary to separate out the various functions or modes of communication.

So it is incorrect to map this infrastructure only onto an "information services" model. ISP service really constitutes a telecommunications service, that should be sharply distinguished from the information services embodied by applications (such as web sites and email servers) that provide the "programming" at the end-nodes of the network.

We should make a sharp distinction between the content that is created and received at the edges, and the transport that moves the data from one end-node to another. That transport should be covered by the principle of common carriage, in order to avoid the problem of gatekeepers charging a toll (economists call this "monopoly rents"). This is critical if we are to enable our societal brain to operate without distortion from elite interests in the name of narrow profit.

If the major ISPs complain that they need more resources in order to build-out the infrastructure, then it may be appropriate to provide a governmental subsidy to accomplish that goal. (Perhaps the government should also take an equity stake in return for that subsidy, since this is not very different from any other investment.)

But to provide a perpetual capability to extract monopoly rents as a "subsidy" is entirely inappropriate for such infrastructure, especially if that capability tends to reduce market structures that encourage competition. (If ISPs argue that "the market is a better allocator of resources" it is useful to point out that this only works if the market is classically competitive, with low barriers to entry, many buyers and sellers, perfect market information, and so forth. Because the ISP market does not satisfy these conditions, there is significant market failure, and thus the market is NOT the best allocator of resources in this case.)

If monopoly rents are charged to data sources, even in the unlikely event that those revenues are

used to offset cost increase that otherwise would be passed to customers receiving data, those customers will see increased costs as the data sources pass through the extra costs in pricing for retail services. If Walmart gets charged a fee by an ISP to reach its customers, Walmart's prices will go up generally (or perhaps just for the customers of that ISP). The customer will not get "something for nothing" in this case, even if there is a more complicated process of cost pass-through. The customer will pay in higher retail prices and lower innovation in consumer markets. And chances are that the extra revenues will go to elite investors before it ever gets to customers on Main Street.

This is not simply a matter of market efficiency, though market efficiency points toward making net neutrality permanent (it would create a market incentive to build out infrastructure in order to preserve quality of service, rather than cementing in place an incentive to preserve bandwidth limits in order to support premium pricing for priority traffic services - you can think of that as "protection money" if "monopoly rents" are too arcane).

This is a matter of freedom of communication: freedom to be heard by anyone who wants to hear you.

This should be a basic right of citizenship, and it should not be treated only as an economic matter. We are more than just "consumers" of such services. We are citizens with a tremendous opportunity to participate in civil discourse in a far broader and deeper manner than ever before. But only if we prevent the abandonment of net neutrality.

If a powerful elite is allowed to "take over our nervous system" for its own narrow purposes, it will eventually have taken over the entire society itself, because it will control what our collective "brain" can "think about" and if you control the brain you control the body.

The Internet cannot be treated as a private enterprise, because it has profound public ramifications, and the public government has a right and duty to regulate the platform in the public interest. In this case, it must regulate the platform so that the content flowing over that platform is not regulated privately by the entity operating the platform.

The best way to achieve quality of service is to build out a network with enough bandwidth and reach so that data can pass through without major obstruction, according to the bandwidth decisions made by individual customers. And the best way to ensure that this strategy is fulfilled is to remove any incentive to throttle-down available bandwidth in order to charge premium pricing for priority throughput.

If we need to subsidize the build-out of that bandwidth, do it as needed directly on a one-time opt-in basis, not indirectly through monopoly capture of the toll booth which then places the decision on an

opt-out basis with extremely complicated ramifications for any opt-out.

Abandoning net neutrality would be a grave precedent that would place the fundamental conduits of collective communication in danger. If we lose this freedom of unfettered and undistorted communication, we might never possess the tools to get it back again. That risk is too overwhelming to allow such a decision.

All logic points in the direction of establishing net neutrality as a permanent, fundamental right of citizenship in the 21st Century and beyond. It is the best choice for the market, and the only choice for the ongoing political health of the nation.